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C O N F I D E N T I A L SAIGON 6341

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REF: A) STATE 38383
B) SAIGON 6181

SUBJECT: PROSPECTS FOR ASSEMBLY VALIDATION OF PRESIDENTIAL ELECTION

1. CURRENT PROSPECTS ARE THAT THE NATIONAL ASSEMBLY WILL VALIDATE RESULTS OF PRESIDENTIAL ELECTION. ASSEMBLY SPECIAL COMMITTEE IS

UNLIKELY TO DISCOVER IRREGULARITIES SUFFICIENT TO WARRANT INVALIDATION OF ELECTION. FOR SIMPLE REASON THAT SUCH

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IRREGULARITIES PROBABLY DID NOT TAKE PLACE.

2. IT NOW APPEARS THAT A LARGE NUMBER OF DEPUTIES.

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REVIEWED BY [illegible] DATE 12/29/80
PORTIONS DENIED AS INDICATED

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PROBABLY A MAJORITY OF THE ASSEMBLY, ARE INCLINED TO ACCEPT THE EL CTION ON ITS MERITS AND TO VOTE FOR VALIDATION. AMONG THIS MAJORITY ARE THE MRS DEPUTIES AND A NUMBER OF INDEPENDENTS, POLITICAL OPPONENTS OF THIEU AND KY WHO, WHILE HARBORING DOUBTS ABOUT THE FAIRNESS OF THE ELECTION, HAVE A CONTINUING STAKE IN THE SUCCESS OF THE CONSTITUTIONAL PROCESS AND ARE AWARE OF THE DANGERS INVALIDATION COULD POSE. THIS CATEGORY WOULD ALSO INCLUDE DAI VIET DEPUTIES, BASKING IN THE SUCCESS OF THEIR UPPER HOUSE SLATE AND THEREFORE NOT WANTING TO UPSET THE APPLECART. FINALLY, MANY CATHOLIC DEPUTIES, INCLUDING SOME WHO ARE PRO-KY, ARE LIKELY TO VOTE FOR VALIDATON IN ABSENCE OF MASSIVE EVIDENCE OF FRAUD. THEY ALSO DID WELL IN UPPER HOUSE ELECTION, AND IN ADDITION USUALLY VOTE FOR STABILITY WHEN CRISES THREATEN.

3. RECALCITRANTS AT THE MOMENT, THOSE WHO MAY CUT OF PIQUE TRY TO OVERTURN THE RESULTS, ARE DZU AND SUU FOLLOWERS IN THE ASSEMBLY AND SOME MEMBERS OF PRO-KY DEMOCRATIC-ALLIANCE BLOC. ALTHOUGH SUU APPEARS TO HAVE LOCKED HIMSELF

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IN TO DZU'S OPPOSITION MOVEMENT, HIS ATTITUDE COULD STILL CHANGE, GIVEN PROPER INDUCEMENT FROM GVN. IN ANY CASE, NEITHER SUU NOR DZU COMMANDS MANY VOTES IN ASSEMBLY. DEMOCRATIC-ALLIANCE BLOC WILL DETERMINE WHETHER VALIDATION IS AN EASY MATTER OR A CLIFF-HANGER. LEFT TO ITS OWN DEVICES, E.G., IN ABSENCE OF A CONCERTED EFFORT BY KY CAMP TO INVALIDATE ELECTION, THE DEMOCRATIC-ALLIANCE WILL PROBABLY SPLIT ROUGHLY DOWN THE MIDDLE. MOST OF ITS CHATHOLIC MEMBERS WOULD BE LIKELY TO VOTE FOR VALIDATION. A NUMBER OF OTHERS, LOSERS IN THE UPPER HOUSE RACE LED BY LE PHUOC SANG, LE QUANG LIEN AND DAM VAN QUY, WOULD PROBABLY VOTE AGAINST OR AT LEAST CONTINUE THEIR THREATS TO DO SO RIGHT UP TO THE LAST MINUTE. IN THE EVENT OF SUCH A SPLIT, HOWEVER, THE DEMOCRATIC-ALLIANCE VOTE WOULD NOT BE DECISIVE AND VALIDATION WOULD BE A RELATIVELY EASY MATTER.

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4. A STRONG EFFORT BY KY TO INVALIDATE THE ELECTION WOULD OF COURSE BE A DIFFERENT MATTER SINCE HE RETAINS CONSIDERABLE LEVERAGE OVER THE ASSEMBLY. AT THE MOMENT THIS DOES NOT APPEAR LIKELY TO HAPPEN. ON THE OTHER HAND, WERE KY TO MAKE ALL-OUT EFFORT TO PRESS FOR VALIDATION IT WOULD BE VIRTUALLY

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ASSURED. FOR THE MOMENT, HOWEVER, IT DOES NOT APPEAR THAT HE IS APPLYING PRESSURE IN EITHER DIRECTION. FOREGOING NOT TO SAY THAT THE ASSEMBLY WILL APPROVE THE ELECTION IN A PRO-FORMA MANNER. AS THE ACTIVITIES OF THE SPECIAL COMMITTEE INDICATE, ASSEMBLY WILL UNDERTAKE A THOROUGH EXAMINATION OF THE EVIDENCE, AND WILL NO DOUBT AIR SOME DIRTY LINEN IN THE DEBATE PRECEDING FINAL VOTE. HOWEVER, UNLESS THERE SHOULD BE PREVIOUSLY UNDETECTED RIGGING OF MASSIVE PROPORTIONS, WHICH WE DO NOT BELIEVE TO BE THE CASE, IT IS VERY UNLIKELY THAT ASSEMBLY WILL INVALIDATE PRESIDENTIAL ELECTION.

5. OUR MOST RECENT READING ON VALIDATION QUESTION HAS BEEN FROM NA DEPUTY [ ] OF THE ASSEMBLYS SPECIAL COMMITTEE. [ ] TOLD EMBOFF MORNING SEPTEMBER 19 THAT [ ] COMMITTEE HAD JUST COMPLETED REVIEW OF RETURNS ON PROVINCE-BY-PROVINCE BASIS AND COMING WEEK WILL BE SPENT PORING OVER REPORTS FROM DISTRICTS AND VILLAGES. [ ] MAINTAINS THAT COMPARIS OF PROVINCE REPORTS WITH TEMPORARY RESULTS ALREADY ANNOUNCED INDICATES "SERIOUS IRREGULARITIES" IN ABOUT PROVINCES AND MINOR DISCREPANCIES IN VOTE COUNT IN ANOTHER 30. AS EXAMPLE OF "SERIOUS IRREGULARITY" VINH CITED EXAMPLE OF PHU YEN PROVINCE WHERE HE CLAIMS

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PROVINCE C GAVE THIEU-KY SLATE 7,000 MORE VOTES THAN THEY ACTUALLY RECEIVED. (THIS HAPPENS TO BE MARGIN OF THIEU'S VICTORY OVER PHAN KHAC SUU IN THAT PROVINCE.)

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[redacted] CLAIMED THAT A NUMBER OF PROVINCES HAD SUBMITTED FORGED ELECTION REPORTS IN PLACE OF ORIGINAL ONES TO COVER UP IRREGULARITIES. [redacted] DESCRIBED AS MINOR DISCREPANCIES OBVIOUSLY UNINTENTIONAL ADDING MISTAKES OR CASES WHERE NUMBER OF VALID VOTES CAST PLUS INVALID BALLOTS EXCEEDED OR FELL SHORT OF CLAIMED TOTAL VOTER FIGURE BY SMALL MARGIN. ASKED WHAT HE THOUGHT SUM TOTAL OF PROVABLE IREREGULARIIES WOULD BE, [redacted] SAID HE THOUGHT IT WAS TOO EARLY TO JUDGE ALTHOUGH HE DID NOT SEEM TO FEEL THAT IRREGULARITIES NOTED THUS FAR COULD BE CONSIDERED SUFFICIENT TO HAVE AFFECTED OUTCOME OF ELECTION.

6. COMMENTING ON THE MOOD OF DEPUTIES IN HIS COMMITTEE, [redacted] SAID THAT MORE THAN HALF OF THEM ARE PRESENTLY INCLINED TO VOTE FOR INVALIDATION. MOOD OF OTHER DEPUTIES MORE DIFFICULT TO ASSESS, [redacted] MAINTAINED, BECAUSE THERE HAVE BEEN SO FEW SESSIONS LATELY. HE FELT, HOWEVER, THAT ATTITUDES WITHIN COMMITTEE ARE PROBABLY INDICATIVE OF SENTIMENTS OF MAJORITY OF ASSEMBLYS MEMBERSHIP. [redacted] CONCEDED THAT MOTIVES FOR DISCONTENT ON PART OF VARIOUS DEPUTIES NOT NECESSARILY BASED ON

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OBJECTIVE ASSESSMENT OF THE FACTS. MANY ARE UNHAPPY OVER THEIR PERSONAL FAILURES IN UPPER HOUSE RACE; OTHERS SEE VALIDATION PROCESS PURELY IN TERMS OF THIEU-KY RIVALRY; WHILE ONLY A FEW APPEAR DETERMINED TO ARRIVE AT THEIR CONCLUSIONS ON "SERIOUS AND IMPERSONAL" BASIS. (COMMENT: WE BELIEVE [redacted] EXAGGERATING DEGREE OF DISCONTENT WITHIN ASSEMBLY AND EXTENT TO WHICH THIS DISCONTENT MIGHT AFFECT OUTCOME OF VOTE ON VALIDATION. HIS VIEWS ARE, HOWEVER, SHARED BY SOME OTHERS INCLUDING DIRECTORATE'S [redacted] WHO TOLD EMBOFF SEPTEMBER 18 HE BELIEVED THIEU'S PRESENT CHANCES OF VALIDATION WERE ONLY 50-50.)

7. TOWARDS END OF CONVERSATION [redacted] REMARKED THAT DICIPLINE OF PRO-GVN DEMOCRATIC-ALLIANCE BLOC HAS DETERIORATED MARKEDLY WHEN COMPARED WITH PERIOD PRIOR

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TO ELECTION CAMPAIGN. HE TOOK THIS TO BE MANIFESTATION OF DIVISION WITHIN EXECUTIVE BRANCH, PARTICULARLY BETWEEN THIEU AND KY. [redacted] SAID HE THOUGHT PROSPECTS FOR POLITICAL STABILITY IN VIETNAM WOULD BE VERY POOR INDEED IF AN EFFECTIVE, UNIFIED EXECUTIVE BRANCH DID NOT EMERGE FROM THE CURRENT CONSTITUTIONAL PROCESS. GP-3 BUNKER

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